

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

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Case No. S-2661

PETITION OF MICHAEL J. AND NORMA L. CAMPERO ZAMBA

OPINION OF THE BOARD

(Opinion Adopted May 3, 2006)
(Effective Date of Opinion: June 30, 2006)

Case No. S-2661 is an application for a special exception for an accessory apartment pursuant to Section 59-G-2.00 of the Montgomery County Code. The Hearing Examiner for Montgomery County held a hearing on the application on March 6, 2006, closed the record on March 21, 2006, and on April 20, 2006, issued a Report and Recommendation for approval of the special exception.

The subject property is Lot 10, Block B, Country Club Forest Subdivision, located at 6101 Stardust Lane, Bethesda, Maryland 20817.

Decision of the Board: Special Exception **Granted** Subject
To Conditions Enumerated Below.

The Board of Appeals considered the Hearing Examiner's Report and Recommendation at its Worksession on May 3, 2006. After careful consideration and review of the record in the case, the Board adopts the Report and Recommendation and grants the special exception subject to the following conditions:

1. Petitioners are bound by their testimony and exhibits of record to the extent that such testimony and evidence are identified in the Hearing Examiner's Report and Recommendation and in this opinion.
2. The accessory apartment may be inhabited by no more than two persons.
3. Per Code § 59-G-2.00(b)(1), at least one owner of the property must occupy one of the dwelling units on the subject property.

4. Per Code § 59-G-2.00(b)(3), Petitioner must not receive compensation for more than one dwelling unit on the subject property.
5. Prior to the issuance of an accessory apartment license by the Department of Housing and Community Affairs, Petitioners must comply with the conditions stated in DHCA's inspection report, Exhibit 12.

On a motion by Donna L. Barron, seconded by Wendell M. Holloway, with Angelo M. Caputo, Caryn L. Hines and Allison Ishihara Fultz, Chair, in agreement, the Board adopted the following Resolution:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the opinion stated above is adopted as the Resolution required by law as its decision on the above-entitled petition.

Allison Ishihara Fultz
Chair, Montgomery County Board of Appeals

Entered in the Opinion Book
of the Board of Appeals for
Montgomery County, Maryland
this 30th day of June, 2006.

Katherine Freeman
Executive Director

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure.